
**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

**EXECUTIVE OFFICER'S REPORT
September 21, 2000**

SALE OF LANDFILL PROJECTS (Phil Gruenberg)

An agreement for the sale of the Eagle Mountain and Mesquite landfills has reportedly been reached. Although neither landfill is yet operational, both projects have been permitted. The buyer is the Los Angeles County Sanitation District.

ADMINISTRATIVE CIVIL LIABILITY COMPLAINTS (ACLC, INCLUDING MANDATORY MINIMUM PENALTIES (SB709)) PORTER-COLOGNE WATER QUALITY CONTROL ACT (SECTION 13385) (Phil Gruenberg and John Carmona)

During the past two months six ACLC's were issued with one of these being rescinded. One of these ACLC's was in response to discharge of non-disinfected wastewater, the rest were required under the mandatory minimum penalty provisions of SB 709. A summation follows:

- Centinela State Prison

ACLC No. 00-104 was issued to California Department of Corrections for violations at the Centinela State Prison wastewater treatment facility. Following the issuance of the ACLC, the prison forwarded information confirming that some of the previous monitoring data submitted was in error and that the number of violations was actually less than what appeared in the monitoring report. ACLC 00-104 was rescinded and replaced by ACLC No. 00-142 to reflect a correction. The mandatory minimum penalty amount was adjusted to \$9,000. The penalty was issued for exceeding effluent limitations, fecal coliform (three times), percent removal efficiency for suspended solids (two times), and biochemical oxygen demand (one time) during the six-month period beginning January 1, 2000, and ending on June 30, 2000. The Regional Board has received a \$9,000 check for the ACLC and California Department of Corrections has verbally agreed to waive a hearing.

In addition, ACLC No.00-088 was issued for a non-permitted discharge of undisinfected effluent from the Prison's wastewater treatment plant. The amount of administrative civil liability issued was \$10,000. The Regional Board has received a \$10,000 check for the ACLC and a hearing waiver.

- City of Imperial

ACLC No. 00-105 was issued to City of Imperial for violations at the Imperial wastewater treatment facility. The mandatory minimum penalty was for exceeding effluent limitations for E. Coli seven times during the six-month period beginning January 1, 2000, and ending on June 30, 2000. The amount of the mandatory minimum penalty was \$12,000. The Regional Board has received a \$12,000 check for the ACLC and a hearing waiver.

- City of Coachella

ACLC No. 00-106 was issued to the City of Coachella for numerous violations at the Coachella wastewater treatment facility. The mandatory minimum penalty was for exceeding effluent limitation for suspended solids (4 times) during the six-month period beginning January 1, 2000 and ending on June 30, 2000, and committing 15 serious violations during the same time period. Fourteen violations exceeded the chlorine residual effluent limitation (Group 2 Pollutant) by 20%. One violation exceeded the total suspended solid effluent limitation (Group 1 Pollutant) by 40%. The amount of the mandatory minimum penalty was \$48,000. The Regional Board has received a hearing waiver and payment of the penalty amount of \$48,000.

- City of Brawley

ACLC No. 00-108 was issued to the City of Brawley for violations at the Brawley wastewater treatment facility. The mandatory minimum penalty was for exceeding effluent limitations for percent removal of BOD₅ (one time) and SS (two times), and 30-day arithmetic mean for BOD₅ (one time) during the six-month period beginning January 1, 2000, and ending on June 30, 2000. The amount of the mandatory minimum penalty was \$3,000. The Regional Board has received a \$3,000 check for the ACLC and a hearing waiver.

EPA'S RESPONSE TO CVWD'S REQUEST FOR CONTINUANCE OF STATE ALTERNATE LIMITS FOR SUSPENDED SOLIDS (WATER RECLAMATION PLANT NO. 4 – THERMAL) (John Carmona)

Coachella Valley Water District (CVWD) has a National Pollutant Discharge Elimination System (NPDES) Permit to discharge treated wastewater into the Coachella Valley Storm Water Channel. An NPDES permit is required for any discharger that discharges pollutants into waters of the United States. Regional Boards, under the supervision of the State Board and with concurrence of USEPA, issue NPDES permits to dischargers.

Part 133-Secondary Treatment Regulation, within Title 40 of the Code of Federal Regulations (CFR), establishes the minimum performance requirements for Publicly Owned Treatment Works. These requirements include provisions for secondary treatment (most stringent), equivalent to secondary treatment (less stringent) and alternate state requirements (least stringent). CVWD's Water Reclamation Plant No. 4, located in Thermal, has been in operation since 1988, and is presently under Board Order No. 00-014, NPDES No. CA0104973, which prescribes alternate state limits for total suspended solids.

Upon review of CVWD's monitoring reports, it was apparent that the facility's operation is meeting equivalent to secondary treatment standards. Regional Board staff interpretation of the regulations are that, if a facility's past performance is able to meet more stringent limitations, then the permit limitations should be changed to reflect this.

Regional Board staff contacted CVWD to provide information on whether it could meet equivalent to secondary treatment standards and forwarded CVWD's response to USEPA. Upon review of CVWD's letter and the facility's monitoring data, USEPA directed Regional Board staff's attention to 40 CFR Part 133.105(f)(1). These federal regulations obligate permitting authorities to require more stringent total suspended solids and biochemical oxygen demand limitations for existing treatment facilities if past performance shows that more stringent 7-day and 30-day average concentrations are achievable through proper operation and maintenance of the treatment works.

According to monitoring data provided by CVWD, Water Reclamation Plant No. 4 can achieve more-stringent total suspended solids limitations. Therefore, USEPA is requiring that the Regional Board incorporate equivalent to secondary treatment standards for total suspended solids into the plant's NPDES permit.

Regional Board staff has informed CVWD of USEPA's response and intends to draft revisions to the permit as time allows.

COACHELLA VALLEY WATER DISTRICT (DISCHARGE OF 1.2 MILLION GALLONS OF UNDISINFECTED SECONDARY TREATED WASTEWATER) (John Carmona)

Staff from the Coachella Valley Water District (CVWD) contacted the Regional Board about a discharge of non-disinfected secondary treated effluent. The call was received about 4:25 p.m. on August 31, 2000. An estimated amount of 1.2-million gallons of non-disinfected secondary treated effluent was discharged into the Coachella Valley Storm Water Channel from Water Reclamation Plant No. 4 (WRP4) located in Thermal. The amount of undisinfected wastewater discharges is approximately equal to the volume of water required to cover 3.7 acres of land to a depth of 1-foot.

It appears that the on-site water pump that feeds the chlorination/dechlorination system failed at about 4:55 p.m. on August 30, 2000. An alarm was received at the Coachella headquarters, however no action was taken.

On August 31, 2000, at approximately 11 a.m., the operation staff discovered that the water system that feeds the chlorination/dechlorination system had failed. The operator shut down the off-site discharge of effluent and notified the Governor's Office of Emergency Services and the Regional Board of the incident. The Regional Board notified the Riverside County Department of Health Services.

SITE INVESTIGATION

On September 1, 2000 (8:15 – 9:00 a.m.), Regional Board staff conducted a site investigation of WRP4 to collect additional information regarding the incident. CVWD staff stated that the existing on-site well pump had failed, sending an alarm to CVWD headquarters, however no operation staff was notified of the alarm condition.

During a recent flash flood event (August 30, 2000), CVWD water system in the Salton Sea area experienced a major failure involving the destruction of approximately 7,000 linear feet of water line, which resulted in alarms being triggered at the CVWD headquarters. It appears that the pump failure alarm from WRP4 was assumed to be due to the flash flooding event and was ignored.

The on-site non-potable water system consists of a well pump, storage reservoir, and two hydropneumatic tanks. This is the main source of non-potable water for the chlorination/dechlorination system. A manual backup system consists of using secondary effluent as non-potable water for the chlorination/dechlorination system. Normally, during an alarm condition when the well pump fails, the existing on-site non-potable water system has enough water to allow the plant to continue to operate without discharging non-disinfected secondary effluent.

The system was back on-line by September 1, 2000.

On September 11, 2000, the Regional Board received an incident report, dated September 7, 2000, from the CVWD, as required in Board Order No. 00-014. CVWD's Operations Department has been informed that an ACLC may be forthcoming.

SHER SENATE BILL 2165 - REVISIONS TO PORTER-COLOGNE WATER QUALITY CONTROL ACT (SECTIONS 13263.3 AND 13385) (John Carmona)

The Porter-Cologne Water Quality Control Act (Act, Division 7 of the California Water Code) establishes standards and criteria for the imposition of civil penalties, including mandatory minimum penalties, for violations of the Act and the federal Clean Water Act as implemented by the State Water Resources Control Board and Regional Boards.

Last year, new legislation, Clean Water Enforcement and Prevention Act (SB 709), created a mandatory minimum penalty of \$3,000 per serious violation and for 4 or more violations of prescribed waste discharge requirements that occur in a 6-month consecutive period. Also, this legislation allowed the Regional Boards to waive initial mandatory assessment in favor of completion of a Pollution Prevention Plan or funding a supplemental environmental project of similar expense.

A supplemental environmental project is an environmentally beneficial project that a discharger agrees to undertake, with Regional Board approval, which would not otherwise be undertaken.

This new bill (SB 2165), if signed by the Governor, will require the amendment of Sections 13263.3 and 13385 of the California Water Code regarding mandatory minimum penalties and provide a reasonable and limited set of conditions under which parties would not be subject to mandatory minimum penalties. Those conditions include that all feasible steps are being taken to minimize or limit the violations of waste discharge requirements or that alternate environmentally beneficial cleanup programs are being carried out.

Some of the proposed legislative changes or clarifications include:

- Authorization of the State Board or Regional Board to require a discharger (NPDES permittee) to complete and implement a pollution prevention plan if certain requirements are met;
- Exemption of certain activities that would exclude imposition of mandatory minimum penalties until January 1, 2002;
- Provides criteria for Time Schedule and Cease and Desist Orders that would allow exemption of mandatory minimum penalties; and
- Provides criteria that allow the State or Regional Board to agree to a POTW serving a small community to spend an equivalent amount towards the completion of a compliance project.

NEW RIVER/MEXICALI SANITATION PROGRAM (Jose Angel)

Construction of the new Mexicali II treatment systems is proceeding on schedule. The new pumping facility (Pump Station No. 4) for the proposed 20-MGD lagoon system for the Mexicali II service area is essentially complete. A groundbreaking ceremony for the construction of the lagoon system will take place next month, and the system is expected to be operational by the middle of next year. After some delays, in June 2000, the North American Development Bank (NADBank) and the Mexican government signed the financial agreement that cleared the way for the Mexicali I projects to proceed. These projects are now underway and essentially consist of the replacement and rehabilitation of about 20 miles of sewage pipes. Completion of these projects will take several years.

NEW RIVER PATHOGEN TMDL AND ALAMO RIVER SILT/SEDIMENT TMDL (Jose Angel)

Staff has completed drafting both TMDL's, their implementation plans, proposed Basin Plan amendments, and supporting CEQA documentation. The draft documents were sent to State Board for review and comments. Staff had originally scheduled workshops for the TMDL's for this month in Imperial County, but staff is still addressing the comments from State Board regarding CEQA. The earliest the workshops can be held is in late October. Staff continues to work with farmers, the IID, and other key stakeholders (via the TMDL Technical Advisory Committee) on the development and implementation of the Alamo River TMDL.

SALTON SEA RESTORATION PROJECT (Jose Angel)

Early this year, the Salton Sea Authority (SSA) and United States Bureau of Reclamation (USBR) released their EIS/EIR for the Salton Sea. The EIS/EIR identifies five potential alternatives for addressing one of the Sea's main problems, salinity. The EIS/EIR was found to be technically deficient by various agencies and groups, principally by the USEPA. At this point, the SSA and USBR can start the CEQA process again (i.e., start from scratch) or issue a supplemental EIS/EIR. Staff believes the lead agencies will proceed with the latter option. This may take at least 6 to 9 months. It is expected that the final CEQA document will include a recommended alternative for addressing the Sea's problems.

IMPERIAL VALLEY WETLANDS PROJECT (Jose Angel)

The Citizen Congressional Task Force on the New River, which is headed by Desert Wildlife Unlimited, is overseeing the construction and operation of two wetlands systems in the Imperial Valley. One of the wetlands projects is just south of Brawley and the other one is to be built west of El Centro. The Brawley wetlands are now operational. The other wetlands are scheduled to be built also this year and will treat agricultural return flows. Congress is funding both of the wetlands.

NEW EMPLOYEES

Rich Howe (Laboratory Assistant) received an Associate of Technology degree in Environmental Science from Clover Park Technical College, Tacoma, Washington. His work experience includes various field activities, laboratory equipment maintenance, and water sample analyses as a student intern with the Regional Water Quality Control Board – Colorado River Basin. Additionally, he has experience preparing Phase I Environmental Site Assessment Reports and Onsite Wastewater Disposal Feasibility Reports, and conducting Phase II environmental investigations with an environmental consulting firm. He is currently working on the New River Monitoring Project and TMDL development under the direction of Jose Angel.

Sylvia Holmes (Environmental Specialist I) received Bachelor and Master of Science degrees in Biology from Lamar University, Beaumont, Texas. Her area of expertise is aquatic biology. She has experience in biological assessment of water quality and invertebrate taxonomy. She is currently working on a biological monitoring program for the Salton Sea under the direction of Jose Angel.